

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF CALIFORNIA  
3

4 UNITED STATES OF AMERICA, ) Case no. 07MJ2282-LAB  
5 )  
6 Plaintiff, ) San Diego, California  
7 )  
8 vs. ) Thursday,  
9 ) October 18, 2007  
10 JORGE DANIEL RAMIREZ-ARMAS ) 2:29 p.m.  
11 and VERONICA QUINTERO- )  
12 NAVARRO, )  
13 )  
14 Defendants. )  
15 )

16  
17  
18 TRANSCRIPT OF PROCEEDINGS  
19 BEFORE THE HONORABLE JAN M. ADLER  
20 UNITED STATES MAGISTRATE JUDGE  
21

22 APPEARANCES:

23 For the Plaintiff: MARK CONNOVER, ESQ.  
24 Assistant United States  
25 Attorney  
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San Diego, California 92101

26 For the Defendant MICHAEL L. CROWLEY, ESQ.  
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29 San Diego, California 92101  
30 (619) 444-8808

31 For the Defendant HOWARD B. FRANK, ESQ.  
32 Quintero-Navarro: Frank & Milchen  
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36 Transcript Ordered By: MICHAEL CROWLEY, ESQ.

37 Proceedings recorded by electronic sound recording;  
38 transcript produced by transcription service.

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Transcriber:

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1 SAN DIEGO, CALIFORNIA THURSDAY, OCTOBER 18, 2007 2:29 P.M.

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3 (Call to order of the Court.)

4 THE CLERK: Matter number 17, 07MJ2282, United  
5 States of America versus Jorge Daniel Ramirez-Armas and  
6 Veronica Quintero-Navarro.

7 MR. CROWLEY: Michael Crowley on behalf of  
8 Mr. Ramirez who is not yet present, your Honor.

9 MR. FRANK: Howard Frank on behalf of Veronica  
10 Quintero who is not yet present.

11 THE COURT: Good afternoon.

12 (Pause.)

13 MR. FRANK: For the record, your Honor,  
14 Ms. Quintero is now present before the Court.

15 THE COURT: Thank you.

16 MR. CROWLEY: And now Mr. Ramirez is present  
17 before the Court also.

18 THE COURT: Thank you.

19 Good afternoon. I've been handed a document on  
20 behalf of each of you entitled "Waiver of Indictment." When  
21 I receive a document entitled "Waiver of Indictment", it  
22 tells me either that your attorney has reached a settlement  
23 or a deal with the Government on your behalf or that your  
24 attorney is very close to doing so, and as part of the  
25 negotiations you have agreed to waive indictment.

1 I'm going to show each of you the Waiver of  
2 Indictment form that applies to you. I'll ask you to confirm  
3 that your signature appears on the document and to confirm  
4 that you have agreed to waive indictment as part of your  
5 negotiations with the Government.

6 (Pause while the Court heard other matters.)

7 THE COURT: Mr. Ramirez-Armas?

8 DEFENDANT RAMIREZ-ARMAS: Yes, your Honor.

9 THE COURT: Can you see the Waiver of Indictment?

10 DEFENDANT RAMIREZ-ARMAS: Yes, sir.

11 THE COURT: Is the first signature yours?

12 DEFENDANT RAMIREZ-ARMAS: Correct.

13 THE COURT: Have you agreed to waive indictment as  
14 part of your negotiations with the Government?

15 DEFENDANT RAMIREZ-ARMAS: Yes, sir.

16 THE COURT: And Ms. Quintero-Navarro, can you see  
17 the waiver of indictment?

18 DEFENDANT QUINTERO-NAVARRO: (Through interpreter)  
19 Yes.

20 THE COURT: Is the first signature yours?

21 DEFENDANT QUINTERO-NAVARRO: Yes.

22 THE COURT: Have you agreed to waive indictment as  
23 part of your negotiations with the Government?

24 DEFENDANT QUINTERO-NAVARRO: Yes.

25 THE COURT: I'm assuming that each of you had the

1 opportunity to talk with your attorney before you signed the  
2 Waiver of Indictment, that your attorney explained your right  
3 to have your case go before the Grand Jury, that your  
4 attorney answered any questions you might have had, and that  
5 you're satisfied with your attorney's advice.

6 I'm now going to ask each of you if each of those  
7 things is true as to you.

8 (Pause while the Court heard other matters.)

9 THE COURT: Mr. Ramirez-Armas?

10 DEFENDANT RAMIREZ-ARMAS: Yes, sir.

11 THE COURT: And Ms. Quintero-Navarro?

12 DEFENDANT QUINTERO-NAVARRO: Yes.

13 THE COURT: My clerk will now give you more  
14 information about your rights and then I'll set a further  
15 hearing in each of your cases.

16 THE CLERK: Each of you are advised that you have  
17 the right (inaudible).

18 (Pause while the Court heard other matters.)

19 THE CLERK: Jorge Daniel Ramirez-Armas, is that  
20 your true name?

21 DEFENDANT RAMIREZ-ARMAS: Yes.

22 THE CLERK: Veronica Quintero-Navarro, is that  
23 your true name?

24 DEFENDANT QUINTERO-NAVARRO: Yes.

25 THE CLERK: Each of you are hereby (inaudible).

1 THE COURT: Unless you indicate otherwise, I will  
2 enter a not guilty plea on behalf of your client for purposes  
3 of today's hearing only. Not having heard otherwise I hereby  
4 enter a not guilty plea on behalf of all of the Defendants  
5 for purposes of this hearing only.

6 I will ask that in another hearing at which time  
7 you will be able to enter your plea.

8 (Pause while Court heard other matters.)

9 THE COURT: And Mr. Ramirez-Armas and Ms.  
10 Quintero-Navarro, your change of plea will take place on  
11 November 1st at 2:00 p.m. before me.

12 Thank you very much.

13 MR. CROWLEY: If it please the Court. As to the  
14 last matter, I would like the matter to be calendared in  
15 front of Judge Burns. (inaudible). I think it would be  
16 helpful for Judge Burns to be aware of it at the time  
17 (inaudible). So that would be my request.

18 THE COURT: All right. I think this is a repeat  
19 of what was just stated with regard to the other matter. I'm  
20 going to leave it on my calendar for now, but let me say  
21 this, please feel free to contact Judge Burns' chambers, or  
22 his clerk rather, and explain why you would like to have it  
23 go before him. If he will take the matter instead of me we  
24 will take it off of my calendar. But I'm not certain that  
25 will occur.

1 MR. CROWLEY: Okay. Your Honor set this for  
2 November 1st on your calendar?

3 THE COURT: Correct.

4 MR. CROWLEY: It's nothing personal.

5 THE COURT: No, I completely understand.

6 MR. CROWLEY: I just want to make sure because I  
7 will see you again.

8 THE COURT: I can of course set a motion hearing  
9 before Judge Burns if that would be helpful.

10 MR. CROWLEY: That would be a very good idea.

11 THE COURT: Okay. I'm told that the date that is  
12 available for a motion hearing/trial setting is November  
13 26th. That's probably not going to help you.

14 MR. CROWLEY: It could be if the Government would  
15 agree to extend by one week the time within which the plea  
16 must be entered. Right now the deadline is November the  
17 19th. So if it could be extended to November (inaudible.)

18 MR. CONNOVER: Would that mean we would be taking  
19 off the November 1st date here with you, your Honor?

20 MR. CROWLEY: Our preference your Honor, if at all  
21 possible, would be in front of Judge Burns. To the extent  
22 that the offer the Government has submitted (inaudible)  
23 November 19th. (inaudible). -- November 26th would be  
24 acceptable and therefore there would not be a reason to have  
25 a hearing before your Honor on November the 1st.

1 THE COURT: So you would suggest setting the  
2 (inaudible).

3 MR. CROWLEY: Yes, your Honor. (inaudible).

4 MR. CONNOVER: (inaudible).

5 MR. CROWLEY: Why don't we just talk to chambers.

6 THE COURT: I think that -- let me just say that  
7 I'm willing to work with you to make something that's  
8 sensible, but I can't say what Judge Burns will do  
9 (inaudible). So let's leave it as it is for now for November  
10 1st. But (inaudible).

11 All right. So if you're able to work something  
12 out please contact Rhea (phonetic) and we'll reschedule.  
13 Thank you.

14 There is still a motion hearing and trial setting  
15 date scheduled for November 26th at this point. You want  
16 that date still don't you?

17 MR. CROWLEY: Yes.

18 THE COURT: So that date is before Judge Burns at  
19 2:00 o'clock. And I'll leave the change of plea on for  
20 November 1st subject to change.

21 MR. CROWLEY: Thank you, your Honor.

22 (Proceedings concluded.)  
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1 I certify that the foregoing is a correct  
2 transcript from the electronic sound recording of the  
3 proceedings in the above-entitled matter.

4

5 s/Sherri Lattuca 5/30/08  
6 Transcriber Date

7 FEDERALLY CERTIFIED TRANSCRIPT AUTHENTICATED BY:

8 s/L.L. Francisco  
9 L. L. Francisco, President  
Echo Reporting, Inc.

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